

Notice of Allowance

Applicant's reply filed **1 February 2010** has been fully considered. **Claims 2-3 and 6-9** are pending: **claims 1, 4-5 and 10-14** have been cancelled and **claims 2-3 and 6-9** have been amended.

Response to Arguments

The objections to **claims 3-4** are withdrawn as a result of Applicants amendment to **claim 3** and cancellation of **claim 4**.

The 35 U.S.C. 112, second paragraph, rejections of **claims 1-7 and 10-14** are withdrawn as a result of Applicant's amendments to the claims and cancellation of **claims 1, 4-5 and 10-14**.

The 35 U.S.C. 102(b) rejections of **claims 2-4 and 9** as anticipated by Cannell (US 5,681,554), of **claims 2-6** as anticipated by Oakes (US 4,539,132), of **claims 1 and 11** and **claims 2 and 4** as anticipated by Hardacker (WO 03/104367) and **claims 1 and 10-14** and **claims 2-7** as anticipated by Haeggberg (US 5,968,881) are withdrawn as a result of Applicant's amendments to the claims and cancellation of **claims 1, 4-5 and 10-14**. Applicant's arguments to the above mentioned rejections were fully considered and were found persuasive in view of the claim amendments.

The 35 U.S.C. 103(a) rejections of **claim 7** as unpatentable over Oakes (US 4,539,132) and of **claim 8** as unpatentable over Haeggberg (US 5,968,881) in view of Hardacker (WO 03/104367) are withdrawn. It is noted that in the non-final Office action mailed **2 September 2009**, page 13 contained a typographical error wherein claim 8 is

Art Unit: 1796

recited as being rejected as unpatentable over Haeggberg (US 5,968,881) in view of Hardacker (WO 03/104367) when it should have been **claim 9**. As such, Applicant's failure to rebut a rejection of claim 9 is understood to have resulted from the Examiner's typographical error wherein it appeared as if two nearly identical rejections of claim 8 were set forth. However, the rejection of **claim 9** as unpatentable over Haeggberg (US 5,968,881) in view of Hardacker (WO 03/104367) is withdrawn as a result of the Examiner's amendment set forth below.

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Raymond D. Smith on **4 March 2010**.

The application has been amended as follows:

Claim 9 is amended as follows: A method for increasing bleaching performance of a cleaning composition comprising adding a manganese proteinate to said cleaning composition, wherein said manganese proteinate is a manganese ion, atom or compound bound to a protein, protein fragment or a peptide and wherein said cleaning composition is in the form of a tablet, a granulate or a powder.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: The closest prior arts of Hardacker (WO 03/104367) and Cannell (US 5,681,554) teach compositions comprising the combination of a protein and a manganese compound. In the case of Hardacker, an aqueous machine dishwashing rinse aid comprising a metal salt of a plurality of monomeric and/or polymeric organic acid, including amino-acids and wherein the metal salt can include manganese, is taught (see Derwent abstracts). In the case of Cannell an aqueous hair treatment composition comprising hydrolyzed protein and divalent mineral cations, including manganese, is taught (abstract, col 6 ln 40-67). Cannell also teaches the divalent mineral cation as bridging the hydrolyzed protein to hair upon use of the composition (col 7 ln 3-10). However, neither of Hardacker nor Cannell teach or render obvious a tablet, granulate or powder cleaning composition wherein the manganese proteinate is bound to the protein, protein fragment of peptide while in the composition.

Furthermore the prior art of Jensen (US 3,969,540) teaches powdered or tableted metal proteinates (col 3 ln 67 to col 4 ln 5), including manganese proteinates (Example 4), as dietary supplements. There is not teaching or motivation in the cited arts of record to include the dietary supplement metal proteinates of Jensen into a cleaning composition or, more specifically, a machine dishwashing cleaning composition.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

Art Unit: 1796

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JANE L. STANLEY whose telephone number is (571)270-3870. The examiner can normally be reached on Monday-Thursday, 7:30 am - 5 pm alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Eashoo can be reached on (571) 272-1197. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mark Eashoo/
Supervisory Patent Examiner, Art Unit 1796

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